

**DATE:** January 28, 2013

**TO:** RMC Governing Board

**FROM:** Mark Stanley, Executive Officer

**SUBJECT:** Item 16: Consideration of resolution authorizing a grant amendment to the County of Los Angeles Department of Public Works for the Vermont Avenue Median Improvements (RMC10015).

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**PROGRAM AREA:** Urban Core

**PROJECT TYPE:** Planning/Development

**JURISDICTION:** Unincorporated County of Los Angeles, 2<sup>nd</sup> District

**PROJECT MANAGER:** Marybeth Vergara

**RECOMMENDATION:** That the RMC authorize a grant amendment to the County of Los Angeles Department of Public Works for the Vermont Avenue Median Improvements to extend the timeline through January 31, 2014. (RMC10015).

**PROJECT'S DESCRIPTION:** The County of Los Angeles Department of Public Works proposes recreational park-like improvements on Vermont Avenue between 88<sup>th</sup> Street and 92<sup>nd</sup> Street in the unincorporated area of Athens in Los Angeles County. The project area covers approximately 1.75 acres and is located on two 56-foot wide existing medians.

**BACKGROUND:**

The County of Los Angeles Department of Public Works (Public Works) has expressed a commitment to this unique project in collaboration with the Office of Supervisor Mark Ridley-Thomas (2<sup>nd</sup> District) as well as the local community group Association of Communities United for South Los Angeles (ACUSLA). The concept of this project was submitted to the RMC in November 2007 by the Watershed Council but was not recommended for approval. RMC staff recommended investigating alternative sources of funding as well as addressing the safety and access issues along this busy street. Since then, the local community group collaborated with several stakeholders including St. Michael's Church, Heal the Bay, the local 8<sup>th</sup> District Neighborhood Council, the former City of Los Angeles Community Redevelopment Agency (CRA) and the State Coastal Conservancy, an initial funding partner.

While the original timeline indicated that this project would be completed by December 31, 2012, delays related to operations and maintenance once the project was complete contributed to the delay. The original timeline was based on the assumption that the County of Los Angeles Department of Parks and Recreation would accept the transfer of the median through vacation of the property and maintain the median as a park facility. However, the vacation process proved to be more complex than first anticipate due to the presence of underground utilities within the median, and more importantly, potential liability issues. After extensive legal analysis, it was decided to cancel the transfer of the median property to County Parks and Recreation, keep the median as county road right of way, and share the maintenance responsibilities between the County of Los Angeles Departments of Parks and Recreation and Public Works. The project plans and specifications could not be finalized until the final decision was made regarding maintenance responsibilities.

The plans were completed in July 2012 and the project was awarded to the lowest responsive, responsible bidder on December 27, 2012. The construction is expected to start in March 2013 and will take approximately 9 months to complete, including the 90 day plant establishment period. The project acceptance would take place in early 2014, however the RMC- funded portions of the project would be completed by January 2014.

The Vermont Avenue corridor is a major transit corridor that is functionally classified as a Principal Arterial and is included in the Countywide Significant Arterial Network. This street extends 25 miles from Griffith Park on the North to the Pacific Ocean interweaving through various distinct communities. For 3.75 miles, this corridor runs through the Rivers and Mountains Conservancy southwest jurisdiction and has a 56 ft. wide right-of-way. The proposed project improvements from 88<sup>th</sup> to 92<sup>nd</sup> Street and include the following: A central 12-foot wide decomposed granite path for pedestrian use; decorative pedestrian lights along the entire path; picnic tables, chess tables, benches, trash receptacles, bicycle bollards with racks, fitness equipment, ADA upgrades for pedestrian access, decorative fencing along the island perimeter, native and drought tolerant plants; and an irrigation system appropriate to the environmental conditions for this project.

The project is located within the unincorporated area of Los Angeles County divided by Manchester Boulevard, another major street. The City of Los Angeles is developing a Master Plan for the Vermont Median project for which they recently received funding from a previous round of Proposition 84 competitive grant funds. The City of LA's proposed improvements are located just north of Manchester Boulevard and the County's portion are just south, along Vermont Avenue. Public works staff will coordinate with the City of LA for consistency with overall design and plant palette to ensure a seamless transition from the City to the County boundary.

This project is consistent with planning efforts for future pedestrian and bikeway improvements along Vermont Avenue. Once future improvements get underway, it may be necessary to narrow the median to accommodate the bike lane along the roadway; however, any modifications will not impact the improvements resulting from this Project. The existing trees will remain and will not be removed as part of this project or as a result of future improvements. In addition, the new landscaping included as part of this project will not be removed due to any future improvements.

See attached Exhibit A: Tasklist/Timeline.

When fully completed, the Vermont Avenue Median improvements will result in a local low-impact recreational trail that will provide residents with enhanced recreational opportunities, beautification elements, and green features in an area that suffers from limited park space. In addition, the improvements will encourage physical activity along the new walkways for the local community. The proposed landscaping will enhance the environment by increasing rainwater infiltration and absorbing greenhouse gas emissions from motor vehicles traveling along Vermont Avenue. Funding from the RMC will be used specifically for the park amenities within the median including the benches, trash bins, par course fitness equipment, pedestrian lights, removable bollards, chess tables, and a portion of the public art (1% commission fee), once that element is finalized. Improvements to the Vermont Avenue median will be maintained by the Public Works Department as a park facility and will accept the transfer of the median property once the vacation of the street easement takes place.

Please see the attached Exhibit A: Tasklist/Timeline, Exhibit B: Budget, Exhibit C- Schematic Conceptual Plan and Signage, Exhibit D- Project Location Map, Exhibit E: Photos and Exhibit F: Letter from LA County Public Works requesting extension through January 31, 2014.

**FISCAL INFORMATION:** The total cost for the Vermont Avenue Median Improvements is \$1,235,650 for this initial phase. The LA County Road Fund is covering the improvements totaling \$949,650 and the RMC grant totals \$285,000. Funding from the RMC will be used specifically for the park amenities within the median including the benches, trash bins, par course fitness equipment, pedestrian lights, removable bollards, chess tables, and a portion of the public art (1% commission fee), once that element is finalized. See Exhibit B: Budget for additional funding details.

The California State Public Resources Code Section 5096.650(b) and 5066.650(b)(6) provide that: (b) The sum of four hundred forty-five million dollars (\$445,000,000) to the conservancies in accordance with the particular provisions of the statute creating each conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources; for grants and state administrative costs; and in accordance with the following schedule...

Section 5096.650(b)(6) to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy ....\$40,000,000. (Proposition 40).

The sum of twenty million dollars (\$20,000,000) to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for protection of the San Gabriel and lower Los Angeles River watersheds pursuant to Division 22.8 (commencing with Section 32600) of the Public Resources Code. (Proposition 50).

75050. The sum of nine hundred twenty eight million dollars (\$928,000,000) shall be available for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources in accordance with the following schedule:... (g) The sum of seventy two million dollars (\$72,000,000) shall be available for projects within the watersheds of the Los Angeles and San Gabriel Rivers according to the following schedule:

(1) \$36,000,000 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy pursuant to Division 22.8 (commencing with Section 32600). (Proposition 84).

**LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:**

The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
  - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
  - (2) The conservancy approves the terms under which the interest in land is acquired.
  - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
  - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
  - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
  - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executory interest or right of entry on the part of the state.

## Exhibit A- Tasklist Timeline

Vermont Avenue - 88th Street to 92nd Street  
County of Los Angeles

	Task by Month/Year																						
Project Task Detail by Project Phase	Percent % Work Complete	Sep 20 2010	Jan 19 2011	Feb 16 2011	Sep 2011	Jul 3 2012	Oct 2012	Nov 2012	Dec 2012	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	Jun 2013	Jul 2013	Aug 2013	Sep 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	
PHASE 1																							
1a Project Concept																							
Project Design Concept		100%																					
Community Meeting		100%																					
1b Project Design																							
Construction Documents 60%		100%																					
Construction Documents 90%		100%																					
Construction Documents 100%		100%																					
1c Project Bidding Administration																							
Project Advertisement																							
Project Bid Opening																							
Construction Bid Award																							
Construction Start																							
PHASE 2																							
2a Site Preparation																							
Construction Survey																							
Mobilization																							
2b Construction/Installation																							
Concrete Work																							
Median nose/traffic signal modification																							
Site Furnishing																							
Irrigation																							
Landscaping																							
2c Field Acceptance																							
2d 90-day Plant Establishment Period																							
PHASE 3																							
3a Project Close Out																							
Acceptance																							

Note: 100 working days are estimated for the construction of the project; a construction schedule will be available after contract award

**Exhibit B: Budget**Project Name & Limits: Vermont Avenue Median Improvements-88th Street to 92nd Street

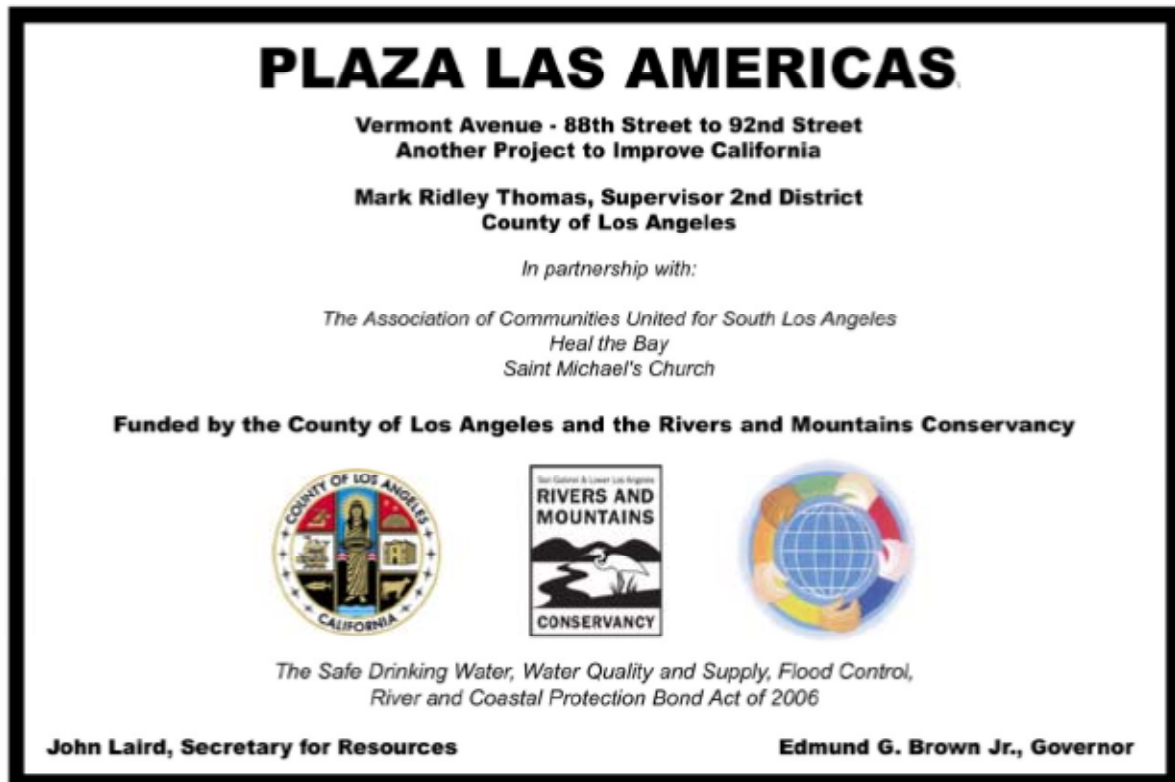
Function	TOTAL	Fiscal Year		Funding	
		2010-11	2011-12	Matching Funds	RMC Grant
Total P.E	85,000	50,000	35,000	69,800	15,200
Landscaping Contract			581,500	581,500	
Benches (10)			11,000		11,000
Trash receptacles (6)			6,000		6,000
Par course equipment			30,000		30,000
Pedestrian lights with foundation (23)			172,500		172,500
Electrical conduit & wiring			75,000	75,000	
SCE meter			10,000	10,000	
Removable bollards (8)			6,800		6,800
Bicycle bollard (2)			1,500		1,500
Chess tables			6,800		6,800
Push button & Detour			35,000	35,000	
Total Contract Cost	936,100		936,100	701,500	234,600
Contract Admin, Inspection & Testing	140,500		140,500	108,150	32,350
Art Commission Fee of eligible project cost (1%)	2,850		2,850		2,850
Total CE Cost	143,350		143,350	108,150	35,200
Construction Contg.	70,200		70,200	70,200	
<b>PROJECT TOTAL</b>	<b>1,234,650</b>	<b>50,000</b>	<b>1,184,650</b>	<b>949,650</b>	<b>285,000</b>

Exhibit C: RMC Sign

*RMC permanent project sign:*

36"

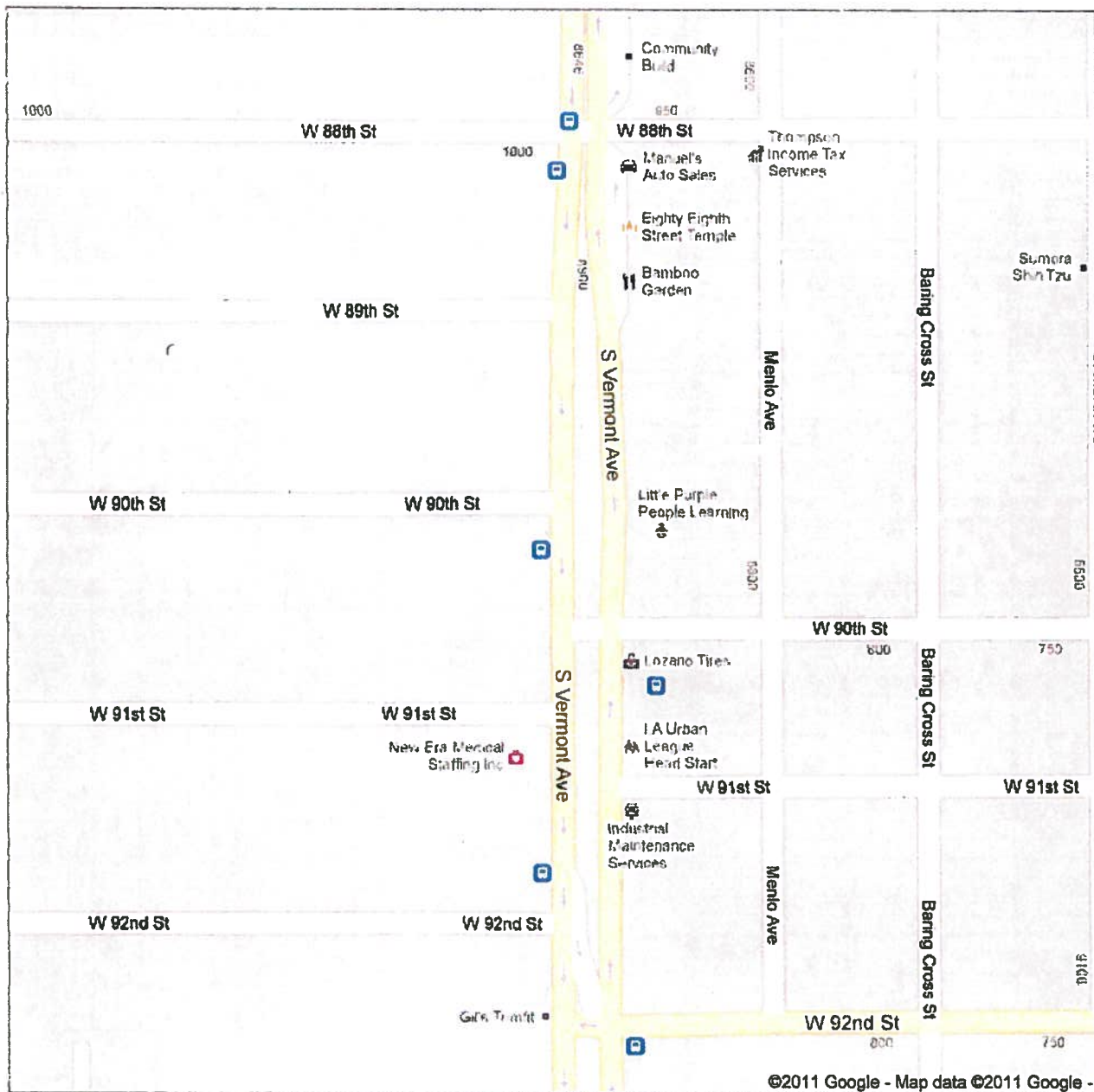
24"



*2' x 3' Bronze sign, mounted vertically to fence at 90th Street entrance*





**Exhibit D- Project Location Map****Vermont Avenue - 88th Street to 92nd Street**





GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

September 27, 2012

IN REPLY PLEASE

REFER TO FILE: PD-8

Ms. Marybeth Vergara  
Project Analyst  
Rivers and Mountains Conservancy  
100 North Old San Gabriel Canyon Road  
Azusa, CA 91702-1447

Dear Ms. Vergara:

**VERMONT AVENUE MEDIAN IMPROVEMENTS  
FROM 88TH STREET TO 92ND STREET  
RIVERS AND MOUNTAINS CONSERVANCY GRANT PROGRAM  
AGREEMENT NUMBER RMC10015  
REQUEST FOR PROJECT PERFORMANCE PERIOD EXTENSION**

The purpose of this letter is to request a time extension for the completion of the above referenced project, which is partially funded with a grant from your agency. Enclosed is a revised task list timeline for all three phases of the project. Overall, we are requesting a 13 month extension of the performance period from December 30, 2012, to January 31, 2014. The time extension is requested due to issues related to the maintenance of the park after completion of the project. Resolution of these issues, described below, was essential to the success of the project.

The original timeline was based on the assumption that the County of Los Angeles Department of Parks and Recreation would accept the transfer of the median through vacation of the property and maintain the median as a park facility. However, the vacation process proved to be more complex than first anticipated due to the presence of underground utilities within the median, and more importantly, potential liability issues. After extensive legal analysis, it was decided to cancel the transfer of the median property to the County of Los Angeles Department of Parks and Recreation, keep the median as County road right of way, and share the maintenance responsibilities between the County of Los Angeles Departments of Parks and Recreation and Public Works. The project plans and specifications could not be finalized until the final decision was made regarding maintenance responsibilities. The plans were completed in July 2012 and we are now proceeding with the advertising and award process for this project.

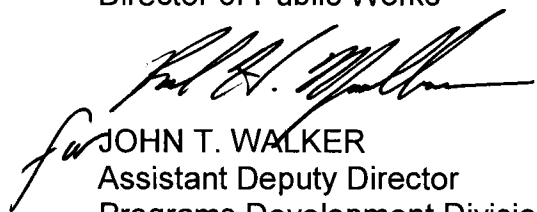
Ms. Marybeth Vergara  
September 27, 2012  
Page 2

We currently anticipate awarding the project to the lowest responsive, responsible bidder on December 27, 2012. The construction is expected to start in March 2013 and will take approximately 9 months to complete, including the 90-day plant establishment period. Therefore, we request your approval to extend the project performance period to January 31, 2014.

If you have any questions regarding this extension request, please contact Ms. Josephine Gutierrez, Programs Development Division, Road Programs Section, at (626) 458-3924 or at [jgutierrez@dpw.lacounty.gov](mailto:jgutierrez@dpw.lacounty.gov).

Very truly yours,

GAIL FARBER  
Director of Public Works

  
JOHN T. WALKER  
Assistant Deputy Director  
Programs Development Division

SD:nc  
C120924  
P:\pdpub\RP\FC-UNIT\Vermont Grant application\Vermont Av RMC grant extension-2.doc

Enc.

cc: County of Los Angeles Department of Parks and Recreation (John Wicker)

January 28, 2013 - Item 16

RESOLUTION NO. 2013-05

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) AUTHORIZING A GRANT AMENDMENT TO THE COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS FOR THE VERMONT AVENUE MEDIAN IMPROVEMENTS (RMC 10015).

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Clean Water, Clean Air, Safe Neighborhoods, and Coastal Protection Bond Act of 2002 (Park Bond Act Proposition 40) which provides funds for the RMC Grant Program; and

WHEREAS, The people of the State of California have enacted the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), which provides funds for the RMC grant program; and

WHEREAS, The people of the State of California have enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), which provides funds for the RMC grant program; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The Applicant has submitted a project which is consistent with the purposes of Division 22.8 of the Public Resources Code and the Bond Act; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

*Therefore be it resolved that* the RMC hereby:

1. FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
2. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
3. APPROVES a grant amendment to extend the timeline for the Vermont Median Park Project through January 31, 2014. (RMC10015).

Resolution 2013-05

4. ADOPTS the staff report dated January 28, 2013.

*~ End of Resolution ~*

Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

Passed and Adopted by the Board of the  
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS  
CONSERVANCY on January 28, 2013.

\_\_\_\_\_  
Frank Colonna, Chair

ATTEST: \_\_\_\_\_  
Terry Fujimoto  
Deputy Attorney General